GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1665
ANSWERED ON:28.11.2002
LEGAL AID IN MADHYA PRADESH
DALPAT SINGH PARASTE

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the present procedure for obtaining legal aid is so cumbersome and complex, that the poor and needy people fail to take advantage of the scheme;

(b) whether the Government are planning to take any steps to decentralize the scheme of providing legal aid and also to make it simpler by consulting the Members of Parliament representing the areas; and

(c) the average amount spent on legal aid every year in the country and the percentage of amount is spent in Madhya Pradesh along with the criteria followed for granting legal aid ?

Answer

MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI)

(a) No, Sir. Any person entitled to legal aid may approach directly to Taluk Legal Services Committee, District Legal Services Authority, High Court Legal Services Committee, State Legal Services Authority and Supreme Court Legal Services Committee, as the case may be.

(b) The procedure for giving legal aid is already decentralised. The State Legal Services Authority, District Legal Services Authorities, Taluk Legal Services Committees may co-opt the concerned Member of Parliament as a Member of the State Authority, District Legal Services Authority, Taluk Legal Services Committee, as the case may be.

(c) The following amounts were allocated by National Legal Services Authority to States/Union Territories from the year 1999-2000 onwards:

P E R I O D	A M O U N T
1999-2000	Rs.2,54,76,500/-
2000-2001	Rs.3,32,55,000/-
2001-2002	Rs.1,66,03,500/-
2002-2003	Rs.2,47,53,000/-

(till 20.11.2002)

In so far as Madhya Pradesh State Legal Services Authority is concerned, a grant-in-aid of Rs.22.00 lakhs was sanctioned in the year 1999-2000 and another Rs.20.00 lakhs in the year 2000-2001.

Section 12 of the Legal Services Authorities Act, 1987 prescribes the criteria for giving legal services.Following persons are entitled to legal aid/legal services:-

(a) a member of a Scheduled Caste or Scheduled Tribe;

(b) a victim of trafficking in human beings or begar as referred to in Article 23 of the Constitution;

(c) a woman or a child;

(d) a mentally ill or otherwise disabled person;

(e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or

(f) an industrial workman; or

(g) in custody, including custody in protective home within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956, or in a juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987; or

(h) in receipt of annual income less than rupees nine thousand or such other higher amount as may be prescribed by the State government, if the case is before a court other than the Supreme court, and less than rupees twelve thousand or such other higher amount as may be prescribed by the Central government, if the case is before the Supreme Court.